

CITY OF TALLAHASSEE	
<u>CITY COMMISSION AGENDA ITEM</u>	
ACTION REQUESTED ON:	September 24, 2003
SUBJECT/TITLE:	Public Hearing and Adoption of Ordinance #02-O-74AA1 Southern Triangle/Desilets Voluntary Annexation
TARGET ISSUE:	N/A

STATEMENT OF ISSUE

In August 2002 the City Commission introduced ordinances for the voluntary annexation of several parcels in the Southern Triangle. While these parcels had previously been included in and presented as part of an unsuccessful three-part referendum for annexation of the entire Southern Triangle area, many property owners continued to express a strong desire to annex into the City. Public hearings were held in September 2002. However, as a result of the County's objection to the annexations, the City Commission voted to commence with the mediation process for the annexations.

On June 10 the County Commission again considered the annexation request and agreed to "not to object" to the annexation of five (5) of the parcels for which property owners had requested voluntary annexation. The City Commission subsequently conducted a public hearing on July 9 and adopted the annexation ordinance for these five parcels. In the interim, annexation of the balance of the parcels was discussed at the July 7 Mayor-Chair meeting, with the outcome being that the Chair indicated the Board would not object to the annexations if the City and County Attorneys would work out a process by which smaller tracts could be presented for consideration. Given this direction, parcels were grouped into two phases, with the first phase to be considered by the Board on August 26. While the Board continued their objection to the parcels presented until their next meeting on September 16, the City Commission held the public hearings and adopted the annexation ordinances.

This agenda item presents the remaining two parcels (Tax I.D. # 4124200260000 and 4124200060000) in the original Tract "A", supported by an annexation petition that is more than two years old. The remaining parcels in Tract "B" and "C" will be presented at a later date. This agenda item is scheduled to be presented to the Board on September 23 prior to the City Commission public hearing and ordinance adoption on September 24, 2003. Pending no objections from the County on September 23, it is recommended that final action be taken on revised Ordinance # 02-O-74AA1.

RECOMMENDED ACTION

Option 1: Hold the public hearing and pending no objections from the Leon County Board of Commissioners at the September 23, 2003 County Commission meeting, approve Ordinance # 02-O-74AA1. The City Commission, by this action, would comply with its policies and the statutory requirements for annexation.

Dinah Hart		Anita R. Favors
Administrative Services Manager/DMA		City Manager

For Information, please contact: Dinah Hart, ext. 8209

ITEM TITLE: *Public Hearing and Adoption of Ordinances # 02-O-74AA1 and 02-O-75AA1 Southern Triangle Voluntary Annexations*

Fiscal Impact

The 2002 taxable value of properties within the proposed annexation area is \$136,050. At the existing 3.2 millage rate, revenues generated from taxes would total approximately \$435. See August 28, 2002 agenda item for more detail (attached).

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

The proposed annexation area consists of approximately XX acres of property within the boundaries of the Southern Triangle. The property is within the Urban Services Area. Approval of the annexation would support the Annexation Goals as identified in the Comprehensive Plan and the annexation strategy adopted by the City Commission.

The Southern Triangle annexation of approximately 45 parcels was initiated after a referendum for the entire Southern Triangle was defeated by voters in June 2002. Three new "tracts" (A, B, and C) were created by staff in response to continued requests from property owners in the Southern Triangle area who still desired to be annexed. It is important to note that no parcels were included in these new tracts except those for which owners were requesting voluntary annexation.

The Board of County Commissioners voted to object to proposed annexation of Tracts A, B, and C last September. According to the Intergovernmental Coordination element of the Comprehensive Plan, the next step in the process is mediation—and the first step in the mediation process is discussion at a Mayor-Chair meeting. City Commission action was scheduled to take place in December 2002, and again in January 2003, but was continually delayed since discussion of the annexations at Mayor-Chair meetings had been postponed. On June 10, the County Commission voted not to object to five (5) of the parcels in Tract C for which property owners had requested voluntary annexation. The City Commission held a public hearing and adopted the annexation ordinance for the five parcels on July 9, 2003.

At the July 7 Mayor-Chair meeting, the Chair indicated that the County would not object to annexation of the balance of the parcels in Tracts A, B, and C if the City and County Attorneys would work out a process by which smaller tracts could be presented for consideration. Given this direction, staff revised the maps and ordinances of the remaining parcels and forwarded this information to the County.

On July 22, the Board briefly considered the annexation requests but requested the County Attorney to agenda the matter for the August 26 meeting. On August 26 the Board continued their objection to the annexation of all parcels since the original annexation petitions for two parcels in Tract "C" could not be located. At the request of the County Attorney, City staff has forwarded copies of all annexation petitions to the County for their review. Staff anticipates that the County will remove their objection on September 16 to four of the five ordinances presented to the Board on August 26, and the remaining ordinance will be presented at such time that the petition for the outstanding parcel(s) is resolved.

The remaining parcels (listed below) originally included in Tract A are scheduled for Board consideration on September 23 and scheduled for City Commission action on September 24, 2003:

02-O-74AA1 Southern Triangle—Desilets.

Pending no objections from the County on September 23, it is recommended that final action be taken on revised Ordinance # 02-O-74AA1.

OPTIONS

Option 1: Hold the public hearing and pending no objections from the Leon County Board of Commissioners at the September 23, 2003 County Commission meeting, approve Ordinance # 02-O-74AA1. The City Commission, by this action would comply with its policies and the statutory requirements for annexation.

Option 2: Pending no action from the Leon County Board of Commissioners, hold the public hearing on Ordinance # 02-O-74AA1 and delay final action on this annexation until further date.

Option 3: Hold the public hearing on Southern Triangle Ordinance # 02-O-74AA1, and at the conclusion of the hearing, deny the petitioner's request for voluntary annexation.

Option 4: Hold the public hearing on Southern Triangle Ordinance # 02-O-74AA1, but continue the hearing until a date certain. This would delay final action on the annexation.

RECOMMENDATION

Option 1: Hold the public hearing and pending no objections from the Leon County Board of Commissioners at the September 23, 2003 County Commission meeting, approve Ordinance # 02-O-74AA1. The City Commission, by this action, would comply with its policies and the statutory requirements for annexation.

ATTACHMENTS/REFERENCES

Attachment 1: Ordinance #02-O-74AA1

Attachment 2: Location Map